

# **EXHIBIT 1**

Commonwealth of Massachusetts

SUFFOLK, ss.

TRIAL COURT OF THE COMMONWEALTH  
BOSTON MUNICIPAL COURT DEPARTMENT  
ROXBURY DIVISION

Chukwuma, E Azubuke

PLAINTIFF(S),

CIVIL NO.

1602CV158

SUMMONS

v.

Four Unknown Boston Police Officers

DEFENDANT(S)

THIS SUMMONS IS DIRECTED TO

Four Unknown Boston Police Officers  
(Defendant's name)

1. This Notice is to inform you that you are being sued. The person or business suing you is known as the Plaintiff. A copy of the Plaintiff's Complaint against you is attached and the original has been filed in the Roxbury Division of the Boston Municipal Court Department. You must respond to this lawsuit in writing. If you do not respond, the Plaintiff may obtain a court order requiring you to pay money or provide other relief.

2. You must respond within 20 days to protect your rights. In order to protect your right to defend yourself in this lawsuit, you must deliver or mail a written response called an "Answer" to both the "Clerk's Office for Civil Business, Boston Municipal Court Department, Roxbury Division, 85 Warren Street, Roxbury, MA 02119" and to the individual below:

C. Azubuke at P. O. Box 171121 Boston  
(name of Plaintiff or Plaintiff's attorney) (address) MA 02117

Your Answer must be delivered or mailed within 20 days from the date the Summons was delivered to you. If you need more time to respond, you may request an extension of time in writing from the Court.

3. Your Answer must respond to each claim made by the Plaintiff. Your Answer is your written response to the statements made by the Plaintiff in the Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. You may agree with some of the things the Plaintiff says and disagree with other things. You may also say that you do not know whether one (or more) of the statements made in the Plaintiff's Complaint is true. If you want to have your case heard by a jury, you must specifically request a jury trial in your Answer. Even if you agree that you owe what is claimed, sending an Answer will provide you with an opportunity to participate and explain your circumstances.

4. You must list any reason why you should not have to pay the Plaintiff what the Plaintiff asks for. If you have any reason(s) why the Plaintiff should not get what the Plaintiff asks for in the Complaint, you must write those reasons (or "defenses") in your Answer.

COMMONWEALTH OF MASSACHUSETTS  
BOSTON MUNICIPAL COURT - *Roxbury* DIVISION

1602CV158

CIVIL DOCKET NUMBER:

CHUKWUMA E AZUBUKO  
Plaintiff

COPY

V

FOUR UNKNOWN ~~FOUR~~ BOSTON POLICE OFFICERS &

THREE UNKNOWN ASSISTANT DISTRICT ATTORNEYS - IN INDIV. & OFF. CAPS.  
Defendants

### COMPLAINT

### INTRODUCTION

On March 6<sup>th</sup>, 2004 the undersigned was arrested, imprisoned up and maliciously prosecuted on assault and battery charges by jury at the Roxbury's District Court. [App. 1] Glory, the undersigned was acquitted. The proceedings centered on false arrest, false imprisonment and malicious[false prosecution. Factly, being in the said court for prehearings and waited for the jury's verdict of not guilty were not stress-free. There was no basis for the 911 call. Sadly, the Police Officers came and decided to arrest the undersigned. Regrettably, they knew not that the law provided for "Break the law or risks the harm." Factly, the undersigned had no violent dispositions or manners as condemned upon his honor. In the period, the undersigned was preoccupied with providing for his two children and educational pursuit; the undersigned's educational records spoke for themselves, in all modesty. Indisputably, the defendants evaluated the surrounding circumstances and deemed them advisable to arrest, imprisoned and prosecute

*filed 3/3/16/kh*

unfairly the undersigned. Central to God's grace and love, the undersigned was acquitted and compensatory damages attached obviously.

## **PARTIES**

The undersigned resided in the Suffolk County and his contact's information would be as stated below. The first defendant's contact's address would be: City of Boston's Corporation Counsel, Law Department – Room 615, City Hall Plaza, Boston – MA 02201. The second defendant's contact address would be: Massachusetts' Attorney General, Government Bureau/Trial, One Ashburton Place, Boston – MA 02108.

## **JURISDICTION**

That existed indisputably constitutionally and statutorily. [Mass. Const., Arts. 6 and 10; GLC 249 Sec. 6; GLC 258 Sec. 1-10; 42 USC Sec. 1983-6; ...]

## **VENUE**

That should be indisputable too.

## **BASES OF COMPLAINT**

- 01)** That the conduct of the first defendants qualified for false arrest.
- 02)** That the conduct of the defendants lent itself to false imprisonment.
- 03)** That the decisions to prosecute represented abuse of process and offices.
- 04)** That the decisions to prosecute by the second defendant qualified for malicious prosecution and lack of skill – despite the so-called victim's prayer to drop the so-called charges.
- 05)** That the decision to arrest and prosecute lent itself to calculated intentional infliction of emotional distress.

- 06) That the decision to arrest and prosecute typified negligent infliction of emotional distress.
- 07) That the conduct of the defendants exposed the undersigned to deprivation of liberty and property interests.
- 08) That the conduct of the defendants condemned the undersigned to tortious interference with prospective business advantages despite the acquittal – records non-expungement.
- 09) That the conduct of the defendant represented invasion of privacy.

**DEMAND FOR JURY TRIAL**

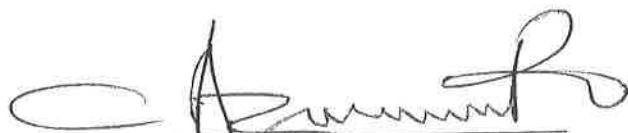
That matched with the law, therefore, the undersigned cried not for the moon legally speaking.

**RELIEF SOUGHT**

The undersigned would like the record expunged from his CORI.

**COMPENSATORY DAMAGES**

The undersigned would seek treble damages from the two defendants respectively owing to time passage, though it barred no jurisdiction.



CHUKWUMA E AZUBUKO

*Pro Se*

P O Box 171121

Boston – MA 02117

Telephone: (857) 417 2044

**Dated: Tuesday – March 15<sup>th</sup> - 2016**

CRIMINAL DOCKET		DOCKET NO. <b>0402CR001055</b>	ATTORNEY NAME <i>Haw</i>			
COURT DIVISION <b>Roxbury</b>	<input type="checkbox"/> INTERPRETER REQUIRED		DATE and JUDGE <i>3-8-04 J.Wright</i>			
NAME, ADDRESS AND ZIP CODE OF DEFENDANT <b>AZUBUKO, CHUKWUMA 106 MINDEN ST.# 3 JAMAICA PLAIN, MA 02130</b>			DOCKET ENTRY <input checked="" type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied and Deft Advised per 211D §2A <input type="checkbox"/> Waiver of counsel found after colloquy			
DEFT. DOB AND SEX <b>03/13/1961 M</b>	PLACE OF OFFENSE(S) <b>ROXBURY</b>		TERMS OF RELEASE SET: <i>1200.00 cash</i> <input type="checkbox"/> PR <input checked="" type="checkbox"/> Bail: <i>1200.00</i> <input type="checkbox"/> Held (276 §58A) <input type="checkbox"/> See back for special conditions <i>D-318</i>			
COMPLAINANT <b>AZUBUKO, CHUKWUMA</b>	POLICE DEPARTMENT (if applicable) <b>BOSTON PD-AREA E-13</b>		ARRAIGNED AND ADVISED: <input checked="" type="checkbox"/> Potential of bail revocation (276 §85) <input checked="" type="checkbox"/> Right to bail review (276 §58) <input type="checkbox"/> Right to drug exam (111E §10)			
DATE OF COMPLAINT <b>03/08/2004</b>	RETURN DATE AND TIME <b>03/08/2004 08:30:00</b>		ADVISED OF RIGHT TO JURY TRIAL: <input type="checkbox"/> Does not waive <input type="checkbox"/> Waiver of Jury trial found after colloquy			
COUNT/OFFENSE <b>1. 265/13A/B A&amp;B c205 §13A(a)</b>	FINE		SURFINE	COSTS	RESTITUTION	V/W ASSESSMENT <input type="checkbox"/> WAIVED
DISPOSITION DATE and JUDGE <i>Oct 10 2004</i>		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C) <i>DWOPay/spry</i>				
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		FINDING <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause				
DISPOSITION DATE and JUDGE		FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged				
DISPOSITION METHOD		JUDGE <i>JUDGE</i>				
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		DATE <i>DATE</i>				
DISPOSITION DATE and JUDGE		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)				
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DISPOSITION METHOD		FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged				
DISPOSITION DATE and JUDGE		JUDGE <i>JUDGE</i>				
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		DATE <i>DATE</i>				
DISPOSITION DATE and JUDGE		COURT ADDRESS Roxbury District Court 85 Warren Street Roxbury, MA 02119				
CLERK-MAGISTRATE/ASST. CLERK		ON (DATE)				
A TRUE COPY <i>V</i>		APP. 1				
		ADDITIONAL COUNTS ATTACHED <input type="checkbox"/>				

DOCKET NUMBER: 0402CR001055

NAME: AZUBUKO, CHUKWUMA

## SCHEDULING HISTORY

NO.	SCHEDULED DATE	SCHEDULED EVENT	RESULT	JUDGE	TAPE NO.	START	STOP
1	5-6-04	PTH	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
2	6-25-04	CE	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
3	8-3-04	CE	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
4	10-19-04	Trial	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	OCT 19 2004	Leary J.	04/2391	1889-2070
5			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
6			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
7			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
8			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
9			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				
10			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd				

ARR=Arraignment PT=Pretrial hearing CE=Discovery compliance and jury election T=Bench trial J=Jury Trial PC=Probable cause hearing M=Motion hearing SR=Status review  
 SRP=Status review of payments FA=First appearance in jury session S=Sentencing CW=Continuance-without-finding scheduled to terminate P=Probation scheduled to terminate  
 DFTA=Defendant failed to appear and was defaulted WAR=Warrant issued WARD=Default warrant issued WR=Warrant or default warrant recalled PR=Probation revocation hearing

ENTRY DATE	OTHER DOCKET ENTRIES
3-8-04	J. WRIGHT- NO plea entered
3/8/04	No Abuse Order in effect
3/8/04	Mit. Issued (FM)
3/8/04	Bail \$100 cash) Victim: Precious O'Kereke
3/8/04	38156000 3/8/04 BA/1 \$200.00
OCT 19 2004	Ms O'Kereke sworn & testified. Victim does not want to Cooperate w/ the Commonwealth. She is asserting her marital priv. Case DROPPED byoj. (maz)

## ADDITIONAL ASSESSMENTS IMPOSED OR WAIVED

DATE IMPOSED and JUDGE	TYPE OF ASSESSMENT	AMOUNT	DUE DATES and COMMENTS	✓ WAIVED
3-8-04 Wright	Legal Counsel Fee (211D §2A ¶2)	150/50	MAY - 4 2004	J. REDD
	Legal Counsel Contribution (211D §2)			
	Court Costs (280 §6)		EXTENDED 05/17/2004 11:59 PM 150.00	
	Drug Analysis Fee (280 §6B)			
	OUI §24D Fee (90 §24D ¶9)			
	OUI Head Injury Surfine (90 §24[1][a][1] ¶2)			
	Probation Supervision Fee (276 §87A)			
	Default Warrant Assessment Fee (276 §30 ¶2)			
	Default Warrant Removal Fee (276 §30 ¶1)			
			APP- 1	